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Attorneys for Joel S. Andersen and Jason Joel Andersen

RECEIVED

DEC 23 2014

Department of Water Resources
Eastern Region

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION) PETITION FOR RECONSIDERATION
FOR TRANSFER NO. 79006 IN THE)
MARSHALL AND NORMA PERKES)
_____)**

Joel S. Andersen and Jason Joel Andersen, by and through their attorney of record, James P. Speck, of the law firm of Speck & Aanestad, A professional Corporation, hereby petitions the Idaho Department of Water Resources (the "Department") to reconsider the approval of the Transfer of Water Right herein as follows:

1. Water Rights Nos. 34-7096A, 34-7097A and 34-7223 are subject to certain exchange agreements described in detail in the Stipulation for Withdrawal of Protests filed herein on October 23, 2014.
2. Water Rights Nos. 34-7096A and 34-7097A are exchanged with Water Right No. 34-14229 which is subject to the following condition of approval:

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED WITH WATER DIVERTED FROM GROUNDWATER UNDER RIGHT NOS. 34-07096A AND 34-07097A FROM THE WELL IN T04N, R26E, S17, NWSNW. WATER DIVERTED UNDER THIS RIGHT IS USED FOR THE PURPOSES AND AT THE PLACES OF USE DESCRIBED IN RIGHT NOS. 34-07096A AND 34-07097A, AND WATER DIVERTED FROM THE WELL IN T04N, R26E, S17, NWSNW IS USED FOR THE

PURPOSES AND AT THE PLACE OF USE DESCRIBED
ABOVE

3. Therefore, Condition of Approval No. 9 for both of Water Rights Nos. 34-7096A and 34-7097A should be deleted and replaced with the following:

Water diverted under this right is exchanged with water diverted from the Big Lost River under Water Right No. 34-14229. Water diverted under this right is used for the purposes and at the places of use described in Water Right No. 34-14229, and water diverted from the Big Lost River pursuant to Water Right No. 34-14229 is used for the purposes and at the place of use described above.

4. Water Rights No. 34-7223 is exchanged with Water Right No. 34-14231 which is subject to the following condition of approval:

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED WITH WATER DIVERTED FROM GROUNDWATER UNDER RIGHT NO. 34-07223. WATER DIVERTED UNDER THIS RIGHT IS USED FOR THE PURPOSES AND AT THE PLACES OF USE DESCRIBED IN RIGHT NO. 34-07223, AND WATER DIVERTED FROM GROUNDWATER IS USED FOR THE PURPOSES AND AT THE PLACE OF USE DESCRIBED ABOVE.

5. Therefore, Condition of Approval No. 9 for Water Rights No. 34-7223 should be deleted and replaced with the following:

Water diverted under this right is exchanged with water diverted from the Big Lost River under Water Right No. 34-14231. Water diverted under this right is used for the purposes and at the places of use described in Water Right No. 34-14231, and water diverted from the Big Lost River pursuant to Water Right No. 34-14231 is used for the purposes and at the place of use described above.

SPECK & AANESTAD,
A Professional Corporation

DATED: December 23, 2014


James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of December, 2014, I served a true and correct copy of the foregoing PETITION FOR RECONSIDERATION on the following persons in the manner designated below:

Idaho Dept. of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
(200) 525-7177

☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☒ Facsimile

Robert L. Harris
Holden Kidwell Hahn & Crapo
P.O. Box 50130
Idaho Falls, ID 83405-0130

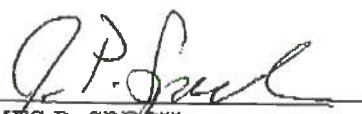
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To:	Idaho Dept. Of Water Resources	Fax Copies:
Fax #:	(208) 525-7177	Fax #:
From:	Jeanne E. Farnea for James P. Speck	Pages: 4, including this cover page
Date:	December 23, 2014	
Subject:	Application for Transfer No. 79006/ Water Right Nos. 34-7096A, 34- 7097A and 34-7223/Petition for Reconsideration	Our File No.

COMMENTS:

Attached for filing is a Petition for Reconsideration for the above-referenced matter.

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